



The Black Track

Special Edition

ON THE FOR THE PEOPLE ACT OF 2021

For the People Act of 2021 Overview **[Congress.gov](https://www.congress.gov)**

This For the People Act of 2021 addresses voter access, election integrity and security, campaign finance, and ethics for the three branches of government.

Specifically, the For the People Act expands voter registration (e.g., automatic and same-day registration) and voting access (e.g., vote-by-mail and early voting). It also limits removing voters from voter rolls.

The For the People Act requires states to establish independent redistricting commissions to carry out congressional redistricting.

Additionally, the For the People Act sets forth provisions related to election security, including sharing intelligence information with state election officials, supporting states in securing their election systems, developing a national strategy to protect U.S. democratic institutions, establishing in the legislative branch the National Commission to Protect United States Democratic Institutions, and other provisions to improve the cybersecurity of election systems.

Further, the For the People Act addresses campaign finance, including by expanding the prohibition on campaign spending by foreign nationals, requiring additional disclosure of campaign-related fundraising and spending, requiring additional disclaimers regarding certain political advertising, and establishing an alternative campaign funding system for certain federal offices.

The For the People Act addresses ethics in all three branches of government, including by requiring a code of conduct for Supreme Court Justices, prohibiting Members of the House from serving on the board of a for-profit entity, and establishing additional conflict-of-interest and ethics provisions for federal employees and the White House.

The For the People Act requires the President, the Vice President, and certain candidates for those offices to disclose 10 years of tax returns.





The Black Track

Special Edition

On the For the People Act of 2021: We must go big or go home!

By: Candace Bacchus Hollingsworth, Co-founder of Our Black Party

The views expressed in this article are the views of the writer, and are not endorsed by the Office of African American Affairs.

Winning comes with responsibility and an obligation for temperance; those are qualities of good leadership. Yet, with majorities in both the House and Senate, the Democratic Party is being goaded to believe that winning is a liability requiring that they sacrifice their boldest objectives for dulcet unity. The Republican Party is not in search of unity. They are hoping to prevent the massive rollback of power that is possible when economic insecurity, social unrest, and political opportunity converge. The last time we were faced with these conditions, including a trifecta of Democratic leadership, the country's most progressive policies for Black people were passed: the Civil Rights Act of 1964 and the Voting Rights Act of 1965. It is time to do it again.



Photo of Candace Hollingsworth

The For the People Act of 2021 will be one of the most consequential pieces of legislation of our time and its fate in the Senate is the linchpin for both parties' fate in the midterm elections. H.R. 1 and its companion bill in the Senate, S1, eloquently state the case and the solution for the most expansive overhaul of our elections since the Voting Rights Act of 1965. In it, legislators put forth a vision of democracy that establishes automatic and same-day voter registration, creates a version of public financing of campaigns, prioritizes voter and civic engagement education for minors, reduces politicization of the redistricting process, increases transparency in campaign finance, strengthens ethics laws for federal offices, and, most importantly, shields marginalized voters from widespread voter suppression including restoring the franchise for those who have been convicted of felony offenses. Its breadth is massive and will redefine the way the American people engage in democracy. How the Republican Party contends with its opposition and the Democratic Party wields its renewed strength will determine whether Americans will choose to preserve democratic institutions or whether we will opt to reclaim democracy itself.

We all recognize the significant window that a change of administration accompanied by a majority—no matter how slim—in both chambers brings. It is expected, however, that legislators will determine just how wide that window is and shepherd through its most pressing and urgent priorities. This view is outdated and does not reflect the speed with which we obtain information, for better or worse. To maintain and strengthen their majority, Democrats must display a certain fortitude to remove all barriers to see the For the People Act and other key racial equity legislation through to passage. Conversely, for the right to secure any glimpse of power over the next five years, Senate Republicans must exert all oppositional force to stop it in its tracks. The opportunity of this moment and the future of President Biden's equity agenda will be determined by Democrats' willingness to disrupt the fiction of the policy window and relentlessly fight for the policy changes their voters expect.





The Black Track

Special Edition

The stakes are high for both parties and for Black people.

January 6th opened many Americans eyes to what Black people have known forever: when faced with threats to their presumption of power, White people will take every available measure to secure their position. It is in this way that those who are mounting their attacks on the For the People Act are not very different from those who stormed the Capitol on that day. Seditious besieged the Capitol to undermine a valid election while elected state representatives are cleverly using the rule of law to further erode voting rights in hopes of shaping future elections. They both employ the same arguments that measures to expand democracy are, at once, unconstitutional, and blatant attacks on states' rights. Since the 2020 general election, 33 states have proposed nearly 200 bills aimed at restricted the right to vote by requiring voter identification, limiting access to absentee ballots, restricting early voting, and prohibiting the use of drop box locations to deliver completed ballots. These bills are efforts to secure power for Republican-led legislatures and districts and if successful, they will block access to the ballot and deliberately disenfranchise millions of voters.

With the election of Senators Warnock and Ossoff and the subsequent passage of its highly restrictive voting law, Georgia stands as a valiant example of the paradox of our American existence. Black people, when organized and when possessing a fuller scope of our inalienable rights, can upset the world with which many are familiar: the one where we are disenfranchised and disengaged. Yet, the legacy of slavery and states' rights allows our state governments to advance oppression with an unapologetic majority vote. Texas is not far behind, showing us the fierceness of their Republican Party's commitment to crippling reproductive rights.

The progression of the For the People Act through the Senate is just as important as its content. The For the People Act establishes the constitutional obligations to the American people and deftly highlights the failures of key rulings like Citizens United and Shelby County v. Holder in guarding the public interest. The context presented in the House Bill makes an undeniable connection between the reforms it proposes, and the rights owed to all of us. Maintaining this language in the approved bill would be a step toward recreating the record and setting the precedent for challenging the perceived inflexibility of our laws.

And it is on this inflexibility—the American way—that the fate of each party in the midterm elections rests. 2022 will be a fight of principles and without the actual threat of twice-impeached former President Trump, the Democratic Party must demonstrate it is just as willing to use the rule of law to win for the common good. Republican voters are already motivated for midterm elections following the intense 2020 elections and the events of January 6th. They are motivated to not only regain power as a majority, but to replace representatives with compromised loyalty. The only match for their fervor is for Democratic and independent voters to be ignited with excitement rooted in the prideful optimism that only accomplishment can bring, and it will require a departure from what many think Biden's call for unity means. The For the People Act is necessarily bold and progressive and demands that even the most moderate Democrat exercise their most daring notions of what political responsibility looks like.

It is easy to mistake a call for unity as a mandate to quell disagreement. At its core, it is a call for civil discourse amid disagreement. When it comes to issues that aim to undo the harms of oppression, however, any call for urgency is viewed as uncivil. Democrats must endure and quite frankly ignore declarations of incivility to lead the For the People Act to passage. They must ignore perceived policy windows and create the opportunity for this legislation and others like it to start to realize our vision of democracy. That vision is not wedded to the institutions as we know them. In fact, it requires us to reimagine those institutions in ways that support democracy and the principles we say we hold dear. That future begins with removal of the filibuster and revising the rules that require a supermajority for cloture.

On this issue, Senators Manchin (D-WV) and Sinema (D-AZ) have it wrong. Any senator unwilling to create the conditions to realize a complete democracy is only wedded to power. In an email to constituents, Sinema is quoted as saying, "retaining the legislative filibuster is not meant to impede the things we want to get done. Rather, it's meant to protect what the Senate was designed to be." Their efforts to protect the filibuster are undermining the public interest and the moral imperative to restore, protect, and defend the very basis of our democracy. That basis is not found in the contours of the Constitution. It is found in the spirit of it—that we, the people, establish justice in order to form a more perfect union. Abandoning the pursuit of perfection in order to honor a past that thrived on injustice reveals more of our representatives' commitment to power than to the American people.

